

Atty's Dkt:JIANG4A

JC03 Rec'd PCT/PTO 1 2 APR 2005

In re Application of:

Zi-Hua JIANG

Serial No. 10/502,085

IA Filing Date: February 4, 2003

For: IMMUNOSTIMULATORY, COVALENTLY LIPIDATED...

) Application Division

) ATTN: PCT

) Washington, D.C.

) Confirmation No. 3733

) Date: April 12, 2005

LATE SUBMISSION OF DECLARATION AND/OR TRANSLATION IN APPLICATION FILED UNDER 35 USC 371

U.S. Patent and Trademark Office
 Customer Service Window
 Randolph Building, Mail Stop Missing Parts
 401 Dulany Street
 Alexandria, VA 22314

Sir:

The present communication is in response to the "NOTICE OF MISSING REQUIREMENTS UNDER 35 USC 371..." dated December 17, 2004. Attached hereto is/are:

- [XX] An executed oath or declaration in compliance with 37 C.F.R. 1.63, identifying the present application by title and priority information.
 [XX] A Preliminary Amendment [XX] Fees are reduced due to elimination of claim multiple dependencies.
 [XX] Response to Sequence Listing Requirement including Paper Sequence Listing, Copy of the "Sequence Listing" in computer readable form (CRF), and statement that contents of the CRF are the same as the paper copy.
 [XX] Supplemental Application Data Sheet (ADS).
 [XX] Additional fees as calculated below:

[] Basic fee			Previously paid
Surcharge of \$130.00 for furnishing the oath or declaration later than [] 20 [XX] 30 months from the earliest claimed priority date (37 CFR 1.492(e)).			\$130.00
Number of each additional 50 pages or fraction thereof (round up to a whole number)		RATE	
		X \$250.00	
Number of Claims Previously Paid For	Number of Extra Claims	Rate	
98- 20 =	78	X \$ 50.00	\$3,900.00
5- 3 =	2	X \$200.00	\$400.00
Multiple Dependent Claims (if applicable)		+ \$360.00	\$
TOTAL OF ABOVE CALCULATIONS			\$4,430.00
Reduction of 1/2 for filing by small entity, if applicable. Applicant claims small entity status. See 37 CFR 1.27.			<\$2,215.00 >
SUBTOTAL			\$2,215.00
Processing fee of \$130.00 for late furnishing of the English translation.			\$
TOTAL NATIONAL FEE			\$2,215.00

- [XX] It is hereby petitioned for an extension of time in accordance with 37 C.F.R. 1.136(a). The appropriate fee required by 37 C.F.R. 1.17 is calculated as shown below:

Small Entity		
Response Filed Within		
[] First	-	\$ 60.00
[XX] Second	-	\$ 225.00
[] Third	-	\$ 510.00
[] Fourth	-	\$ 795.00
[] Fifth	-	\$1,080.00
month after time period set		

Other Than Small Entity		
Response Filed Within		
[] First	-	\$ 120.00
[] Second	-	\$ 450.00
[] Third	-	\$1,020.00
[] Fourth	-	\$1,590.00
[] Fifth	-	\$2,160.00
month after time period set		

- [XX] Total fees enclosed: \$2,440.00

- [XX] Credit Card Payment Form, PTO-2038, authorizing payment the amount of \$ 2,440.00 is enclosed to cover the above fees.

- [XX] Conditional Petition for Extension of Time:

If any extension of time for a response is required, applicant requests that this be considered a petition therefor.

- [XX] The Commissioner is hereby authorized and requested to charge any additional fees which may be required in connection with this application or credit any overpayment to Deposit Account No. 02-4035. This authorization and request is not limited to payment of all fees associated with this communication, including any Extension of Time fee, not covered by check or specific authorization, but is also intended to include all fees for the presentation of extra claims under 37 CFR 1.16 and all patent processing fees under 37 CFR 1.17 throughout the prosecution of the case. This blanket authorization does not include patent issue fees under 37 CFR 1.18.

04/15/2005 #KAYPAGH 00000055 10502085

01 FC:2617 65.00 OP
 02 FC:2615 1950.00 OP
 03 FC:2614 200.00 OP

IPC:ses

G:\ipc\la-clbiom\Jiang4A\PTO\missingnationaltransmittalExclaims.doc

BROWDY AND NEIMARK, P.L.L.C.
 Attorneys for Applicant(s)

By:

Iver P. Cooper

Registration No. 28,005

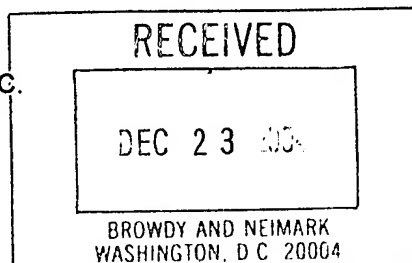


UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/502,085	Zi-Hua Jiang	JIANG4A

001444
BROWDY AND NEIMARK, P.L.L.C.
624 NINTH STREET, NW
SUITE 300
WASHINGTON, DC 20001-5303



INTERNATIONAL APPLICATION NO.	
PCT/CA03/00135	
I.A. FILING DATE	PRIORITY DATE
02/04/2003	02/04/2002

CONFIRMATION NO. 3733
371 FORMALITIES LETTER



OC000000014784057

Date Mailed: 12/17/2004

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 07/22/2004
- Copy of the International Search Report filed on 07/22/2004
- Biochemical Sequence Listing filed on 07/22/2004
- Request for Immediate Examination filed on 07/22/2004
- U.S. Basic National Fees filed on 07/22/2004
- Priority Documents filed on 07/22/2004
- Power of Attorney filed on 07/22/2004



MSP 17FE 2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Additional claim fees of **\$4860** as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.
- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- **\$130** Surcharge for providing the oath or declaration later than 30 months from the priority date (37 CFR 1.492(e)) is required.

SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$4990** for a Large Entity:

- **\$130** Late oath or declaration Surcharge.

The following items **MUST** be furnished within the period set forth below:

- The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 CFR 1.821-1.825 for the following reason(s):
 - A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e) and PCT Rule 13ter.1(a)(ii).
 - **APPLICANT MUST PROVIDE:**
 - An initial or substitute computer readable form (CRF) of the "Sequence Listing."
 - A statement that the contents of the paper or compact disc and the computer readable form are the same and, where applicable, include no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b) or 1.825(d).
- For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:
 - For Rules Interpretation, call (703) 308-4216
 - To Purchase PatentIn Software, call (703) 306-2600
 - For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov
- Total additional claim fee(s) for this application is **\$ 4860**
 - **\$400** for **2** independent claims over 3.
 - **\$4100** for **82** total claims over 20.
 - **\$360** for multiple dependent claim surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

SHAKEEL AHMED

Telephone: (703) 305-3659

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/502,085	PCT/CA03/00135	JIANG4A